

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
8

9 JULIUS BRADFORD,

10 Petitioner,

2:13-cv-01784-RFB-GWF

11 vs.

**ORDER**

12 RENEE BAKER, *et al.*,

13 Respondents.  
14 \_\_\_\_\_ /  
15

16 In this habeas corpus action, the petitioner, Julius Bradford, filed a First Amended Petition  
17 for Writ of Habeas Corpus on August 12, 2014 (ECF No. 22). In this order, the court sets a schedule  
18 for further litigation of this action.

19 **IT IS ORDERED:**

20 1. Response to First Amended Petition. Respondents shall have 60 days following the  
21 entry of this order to file and serve an answer or other response to the first amended habeas petition.

22 2. Reply and Response to Reply. Petitioner shall have 45 days following service of an  
23 answer to file and serve a reply. Respondents shall thereafter have 30 days following service of a  
24 reply to file and serve a response to the reply.

25 3. Briefing of Motion to Dismiss. If respondents file a motion to dismiss, petitioner  
26 shall have 30 days following service of the motion to file and serve an opposition to the motion.

1 Respondents shall thereafter have 20 days following service of the opposition to file and serve a  
2 reply.

3       4.       Discovery. If petitioner wishes to move for leave to conduct discovery, petitioner  
4 shall file and serve such motion concurrently with, but separate from, the response to respondents'  
5 motion to dismiss or the reply to respondents' answer. Any motion for leave to conduct discovery  
6 filed by petitioner before that time may be considered premature, and may be denied, without  
7 prejudice, on that basis. Respondents shall file and serve a response to any such motion  
8 concurrently with, but separate from, their reply in support of their motion to dismiss or their  
9 response to petitioner's reply. Thereafter, petitioner shall have 15 days to file and serve a reply in  
10 support of the motion for leave to conduct discovery. If the court grants petitioner leave to conduct  
11 discovery, the court will then establish time limits for the completion of the authorized discovery.

12       5.       Evidentiary Hearing. If petitioner wishes to request an evidentiary hearing,  
13 petitioner shall file and serve a motion for an evidentiary hearing concurrently with, but separate  
14 from, the response to respondents' motion to dismiss or the reply to respondents' answer. Any  
15 motion for an evidentiary hearing filed by petitioner before that time may be considered premature,  
16 and may be denied, without prejudice, on that basis. The motion for an evidentiary hearing must  
17 specifically address why an evidentiary hearing is required, and must meet the requirements of  
18 28 U.S.C. § 2254(e). The motion must state whether an evidentiary hearing was held in state court,  
19 and, if so, state where the transcript is located in the record. If petitioner files a motion for an  
20 evidentiary hearing, respondents shall file and serve a response to that motion concurrently with, but  
21 separate from, their reply in support of their motion to dismiss or their response to petitioner's reply.  
22 Thereafter, petitioner shall have 15 days to file and serve a reply in support of the motion for an  
23 evidentiary hearing.

24 ///

25 ///

26 ///

1           6.       Status Reports and Status Conferences. The court may from time to time, as the need  
2 arises, schedule status conferences, and/or require the filing and service of status reports, in order to  
3 manage the progress of this action.

4           Dated this 16<sup>th</sup> day of January, 2015.

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26



RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE